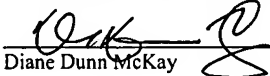


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Attorney Docket No. 3607-106.4 US

The undersigned certifies that this communication is being deposited with the United States Postal Service as prepaid first class mail in an envelope addressed to Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 11, 2004.

  
Diane Dunn McKay

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	
BUCK, Carol.	:	
	:	
Application No. 10/728,546	:	Group Art Unit: TBD
	:	
Filed: December 5, 2003	:	Examiner: TBD
	:	
Title: FORMULATIONS AND METHOD	:	
FOR STRAIGHTENING HAIR	:	
	:	
	x	

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION TO REINSTATE FILING DATE

Sir:

In a Notice of Incomplete Nonprovisional Application, attached hereto, it was stated that the above-described application was filed without drawings and was not accorded a filing date. Applicant submits that the drawings are not necessary for the understanding of the subject matter sought to be patented. The references to drawings in the above-described application are related to embodiments of the invention previously patented in U.S. Patent No. 6,517,822 and are not related to the invention defined by the present claims.

02/19/2004 WRBDELRI 00000096 132165 10728546  
01 FC:1460 130.00 DR

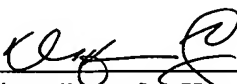
Applicant submits herewith a Preliminary Amendment canceling the references to drawings in the application. Accordingly, Applicant requests that the filing date of December 5, 2003, be accorded to the above-described application.

Applicants acknowledge that pursuant to 37 C.F.R. § 1.17(h), a petition fee of \$130.00 is required. However, Applicants request refund of the petition fee, as the application is entitled to a filing date.

Should the Commissioner feel that a petition is necessary, the Commissioner is hereby authorized to charge the petition fee to Deposit Account No. 13-2165. Please charge any deficiency or credit any overpayment to Deposit Account No. 13-2165.

Respectfully submitted,

Dated: February 11, 2004

  
\_\_\_\_\_  
Diane Dunn McKay  
Reg. No. 34,586  
Attorney for Applicant

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